

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No. 256

Case No. : Crl. Misc. No. M-12978 of 2016

Date of Decision : March 08, 2017

Chander Shekhar and another Petitioners

vs.

State of Haryana and another Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

* * *

Present : Mr. Rishabh Gupta, Advocate
for the petitioners.

Mr. Ashish Yadav, Addl. A. G., Haryana.

Ms. Shreya Vasishtha, Advocate
for respondent no. 2.

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DEEPAK SIBAL, J. :

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.895 dated 13.11.2014, registered under Sections 420, 467, 468, 471, 406, 506, 34 IPC, at Police Station Civil Lines, District Karnal, along with all consequential proceedings arising therefrom, on the basis of compromise/settlement arrived at between the parties.

On 21.04.2016, while issuing notice of motion, this Court had directed the trial court to record the statements of the parties and then send a report after giving its opinion whether the matter between the parties has

been compromised and if it has been, with regard to genuineness of the same.

In pursuance to the afore-referred order, the parties had got their statements recorded and as per the report dated 30.05.2016 sent by the Judicial Magistrate Ist Class, Karnal, the matter between the parties has been compromised, which is genuine.

Since the complainant was grandmother of the petitioners and being an old lady, the Court had directed the Investigating Officer to confirm from her whether she had voluntarily given up her rights in the property in dispute and whether she had no objection in case the criminal proceedings against the petitioners are quashed.

Learned State counsel submits that as per the directions given by this Court, the Investigating Officer has recorded the statement of the complainant, which is to the effect that she has no objection if the present FIR is quashed.

The present dispute, being a private dispute and commercial in nature between the grandchildren and their grandmother, on the basis of compromise, is required to be quashed as continuance of proceedings in the criminal case after the aforesaid compromise, which is reported by the Judicial Magistrate Ist Class, Karnal to be a genuine one, would be nothing but an abuse of process of law.

In view of the above, FIR No.895 dated 13.11.2014, registered under Sections 420, 467, 468, 471, 406, 506, 34 IPC, at Police Station Civil

Lines, District Karnal, along with all consequential proceedings arising therefrom, is quashed.

The petition stands allowed in the above terms.

(DEEPAK SIBAL)
JUDGE

March 08, 2017
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<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>